

**CITY OF KNOXVILLE  
BUILDING BOARD OF ADJUSTMENTS AND APPEALS  
MEETING MINUTES  
July 15, 2016, 9:00 am**

SMALL ASSEMBLY ROOM – CITY/COUNTY BUILDING (400 MAIN ST)

*This meeting and all communications between the Board members is subject to the provisions of the Tennessee Open Meetings Act, Tenn. Code. Ann. § 8-44-101, et seq.*

**ROLL CALL**

Board Chairman Doyle Webb called the meeting to order at 9:00 am. Other Board members present were David Smith, Gregor Smee, and John Kenny, Fanesha Powell, and Jimmy Taylor. Board members absent were David Icove and Albert Beasley.

Staff members in attendance were Marty Clay, Chief Building Inspector; Sonny Partin, KFD; Crista Cuccaro, Law Department; and Angelia Rooks, Board Secretary.

**APPROVAL OF MINUTES**

Board member Jimmy Taylor made a motion to approve the January 15, 2016 minutes. It was seconded by Board member Gregor Smee. The Board voted 6-0 to **APPROVE** the minutes.

**NEW BUSINESS**

**BD7A16BU**      Address:                    2637 Western Avenue  
                         Owner:                         Randy Winters  
                         Applicant:                 Thomas Cardwell (Architect)  
                         Code Section:             2012 IBC, SECTION 602.1 Table 602

**Request:** Allow exterior walls with fire separation distance between 7 and 30 feet to be non-rated.

The applicant, Thomas Cardwell, was present. The building addition was already constructed, and the builder did not know the wall required a one-hour fire rating. The variance was minor (within 2 ft), and only applied to one end of the wall. There was only an alley and open space beyond. The rest of the building was in compliance.

Marty Clay stated that the applicant did not have a hardship to justify approving a variance. The one-hour rating was easy to obtain. They had to take the skin off the building, anyway, to achieve the insulation requirement. At that time, they could install the fire rated sheet rock. Sonny Partin agreed. It had to be corrected.

Board members pointed out that the applicant would need to install a one-hour rated roll-up door, as well. Mr. Cardwell stated the cost to do so would be a hardship. Mr. Clay said he did not observe the door on this wall when he was on-site. It appeared at the time, that it was not yet installed. Board members and staff discussed the calculation of setback requirements, and the eave which appeared to extend into the right-of-way in the alley. The applicant said they had corrected the problem and were in compliance.

Board member Gregor Smee agreed that there was no hardship to justify a variance.

Board member Jimmy Taylor made a motion to deny the request. It was seconded by Board member John Kenny. The Board voted 6-0 to **DENY** the request.

**OTHER BUSINESS**

Next BBAA meeting: August 19, 2016

**ADJOURNMENT**

The meeting adjourned at 9:15 am.